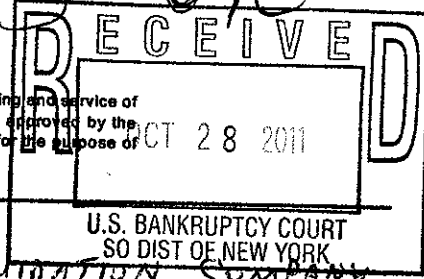


JS 44C/SDNY
REV. 5/2010

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.



PLAINTIFFS

DALE R. SPIRNAK

DEFENDANTS

MOTORS LIQUIDATION COMPANY

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

N/A

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 USC 158

Has this or a similar case been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

ACTIONS UNDER STATUTES

CONTRACT		PERSONAL INJURY		TORTS		FORFEITURE/PENALTY		BANKRUPTCY		OTHER STATUTES	
[] 110 INSURANCE	[] 310 AIRPLANE	[] 362 PERSONAL INJURY -	[] 610 AGRICULTURE	[] 422 APPEAL	[] 400 STATE						
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	[] 365 PERSONAL INJURY	[] 620 OTHER FOOD &	[] 423 WITHDRAWAL	[] 410 ANTI-TRUST						
[] 130 MILLER ACT	[] 320 ASSAULT, LIBEL &	[] 368 ASBESTOS PERSONAL	[] 625 DRUG RELATED	[] 430 BANKS & BANKING	[] 430 BANKS & BANKING						
[] 140 NEGOTIABLE	[] 330 FEDERAL	[] 370 OTHER FRAUD	[] 630 LIQUOR LAWS	[] 440 COMMERCE	[] 440 COMMERCE						
[] 150 RECOVERY OF	[] 340 MARINE	[] 371 TRUTH IN LENDING	[] 640 RR & TRUCK	[] 450 DEPORTATION	[] 450 DEPORTATION						
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT	[] 372 OTHER PERSONAL	[] 650 AIRLINE REGS	[] 460 RACKETEER INFLU-	[] 460 RACKETEER INFLU-						
[] 152 RECOVERY OF	[] 350 MOTOR VEHICLE	[] 373 PROPERTY DAMAGE	[] 660 OCCUPATIONAL	[] 470 ENCEDED & CORRUPT	[] 470 ENCEDED & CORRUPT						
[] 153 RECOVERY OF	[] 355 MOTOR VEHICLE	[] 374 OTHER PERSONAL	[] 690 OTHER	[] 480 ORGANIZATION ACT	[] 480 ORGANIZATION ACT						
[] 160 STOCKHOLDERS SUITS	[] 360 OTHER PERSONAL	[] 375 PROPERTY DAMAGE		[] 490 CONSUMER CREDIT	[] 490 CONSUMER CREDIT						
[] 190 OTHER CONTRACT	[] 440 OTHER CIVIL RIGHTS	[] 376 PRODUCT LIABILITY		[] 490 CABLE/SATELLITE TV	[] 490 CABLE/SATELLITE TV						
[] 195 CONTRACT PRODUCT		[] 377 OTHER PERSONAL		[] 510 SELECTIVE SERVICE	[] 510 SELECTIVE SERVICE						
[] 196 FRANCHISE		[] 378 OTHER PERSONAL		[] 550 SECURITIES/	[] 550 SECURITIES/						
		[] 379 OTHER PERSONAL		[] 560 EXCHANGE	[] 560 EXCHANGE						
		[] 380 OTHER PERSONAL		[] 570 CUSTOMER	[] 570 CUSTOMER						
		[] 381 OTHER PERSONAL		[] 580 CHALLENGE	[] 580 CHALLENGE						
		[] 382 OTHER PERSONAL		[] 590 12 USC 3410	[] 590 12 USC 3410						
		[] 383 OTHER PERSONAL		[] 600 OTHER STATUTORY	[] 600 OTHER STATUTORY						
		[] 384 OTHER PERSONAL		[] 610 ACTIONS	[] 610 ACTIONS						
		[] 385 OTHER PERSONAL		[] 620 AGRICULTURAL ACTS	[] 620 AGRICULTURAL ACTS						
		[] 386 OTHER PERSONAL		[] 630 ECONOMIC	[] 630 ECONOMIC						
		[] 387 OTHER PERSONAL		[] 640 STABILIZATION ACT	[] 640 STABILIZATION ACT						
		[] 388 OTHER PERSONAL		[] 650 ENVIRONMENTAL	[] 650 ENVIRONMENTAL						
		[] 389 OTHER PERSONAL		[] 660 MATTERS	[] 660 MATTERS						
		[] 390 OTHER PERSONAL		[] 670 ENERGY	[] 670 ENERGY						
		[] 391 OTHER PERSONAL		[] 680 ALLOCATION ACT	[] 680 ALLOCATION ACT						
		[] 392 OTHER PERSONAL		[] 690 FREEDOM OF	[] 690 FREEDOM OF						
		[] 393 OTHER PERSONAL		[] 700 INFORMATION ACT	[] 700 INFORMATION ACT						
		[] 394 OTHER PERSONAL		[] 710 APPEAL OF FEE	[] 710 APPEAL OF FEE						
		[] 395 OTHER PERSONAL		[] 720 DETERMINATION	[] 720 DETERMINATION						
		[] 396 OTHER PERSONAL		[] 730 UNDER EQUAL ACCESS	[] 730 UNDER EQUAL ACCESS						
		[] 397 OTHER PERSONAL		[] 740 TO JUSTICE	[] 740 TO JUSTICE						
		[] 398 OTHER PERSONAL		[] 750 CONSTITUTIONALITY	[] 750 CONSTITUTIONALITY						
		[] 399 OTHER PERSONAL		[] 760 OF STATE STATUTES	[] 760 OF STATE STATUTES						
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Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$1648,995.40

OTHER

JUDGE

DOCKET NUMBER

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☐ NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding ☐ 2a. Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ 2b. Removed from State Court AND at least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.
(28 USC 1322, 1441)

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	[]	[]	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[]	[]	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	[]	[]
CITIZEN OF ANOTHER STATE	[]	[]	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[]	[]	FOREIGN NATION	[]	[]

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DALE R. SPIRNAK
207 MAPLEDALE DR.
MUNHALL, ALLEGHENY COUNTY, PA
15120

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

MOTORS LIQUIDATION COMPANY
401 SOUTH OLD WOODWARD AVE, SUITE 370
BIRMINGHAM, OAKLAND COUNTY, MI
48009

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
(DO NOT check either box if this a PRISONER PETITION.)

DATE SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO
[] YES (DATE ADMITTED Mo. ____ Yr. ____)
Attorney Bar Code #

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)